

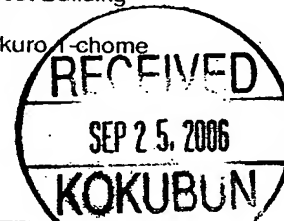
From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

To:

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|  |   |
|--|---|
| Date of mailing (day/month/year)<br>14 September 2006 (14.09.2006) |   |
| Applicant's or agent's file reference<br>F1348P-WO                 | IMPORTANT NOTIFICATION  |
| International application No.<br>PCT/JP2004/019405                 | International filing date (day/month/year)<br>24 December 2004 (24.12.2004) |
| Applicant<br>NIPPON STEEL CORPORATION et al                        |   |

## 1. Transmittal of the translation to the applicant.

☐

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).

☒

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

## 2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

EP, KR

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

## 3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

|   |  |
|---|--|
| The International Bureau of WIPO<br>34, chemin des Colombettes<br>1211 Geneva 20, Switzerland | Authorized officer<br>Yoshiko Kuwahara |
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**TRANSLATION**

**PATENT COOPERATION TREATY**

**PCT**

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

|   |   |   |
|---|---|---|
| Applicant's or agent's file reference<br><b>F1348P-WO</b>   | <b>FOR FURTHER ACTION</b>                                       | See Form PCT/IPEA/416                               |
| International application No.<br><b>PCT/JP2004/019405</b>   | International filing date (day/month/year)<br><b>24.12.2004</b> | Priority date (day/month/year)<br><b>24.12.2003</b> |
| International Patent Classification (IPC) or national classification and IPC<br><b>G05B19/418</b> |   |   |
| Applicant<br><b>NIPPON STEEL CORPORATION</b>  |   |   |

|   |              |   |           |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
|---|--------------|---|-----------|---------------------|--------------------------|------------|----------|--------------------------|-------------|--|--------------------------|------------|----------------------------|-------------------------------------|-----------|---|--------------------------|------------|-------------------------|--------------------------|-------------|--|--------------------------|--------------|---|
| <p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> |              |   |           |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <p>4. This report contains indications relating to the following items:</p> <table><tr><td><input checked="" type="checkbox"/></td><td>Box No. I</td><td>Basis of the report</td></tr><tr><td><input type="checkbox"/></td><td>Box No. II</td><td>Priority</td></tr><tr><td><input type="checkbox"/></td><td>Box No. III</td><td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td></tr><tr><td><input type="checkbox"/></td><td>Box No. IV</td><td>Lack of unity of invention</td></tr><tr><td><input checked="" type="checkbox"/></td><td>Box No. V</td><td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VI</td><td>Certain documents cited</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VII</td><td>Certain defects in the international application</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VIII</td><td>Certain observations on the international application</td></tr></table>   |              | <input checked="" type="checkbox"/>   | Box No. I | Basis of the report | <input type="checkbox"/> | Box No. II | Priority | <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability | <input type="checkbox"/> | Box No. IV | Lack of unity of invention | <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement | <input type="checkbox"/> | Box No. VI | Certain documents cited | <input type="checkbox"/> | Box No. VII | Certain defects in the international application | <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |
| <input checked="" type="checkbox"/>   | Box No. I    | Basis of the report   |           |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input type="checkbox"/>  | Box No. II   | Priority  |           |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input type="checkbox"/>  | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |           |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input type="checkbox"/>  | Box No. IV   | Lack of unity of invention  |           |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input checked="" type="checkbox"/>   | Box No. V    | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |           |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input type="checkbox"/>  | Box No. VI   | Certain documents cited   |           |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input type="checkbox"/>  | Box No. VII  | Certain defects in the international application  |           |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input type="checkbox"/>  | Box No. VIII | Certain observations on the international application   |           |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |

|   |                                   |
|---|-----------------------------------|
| Date of submission of the demand        | Date of completion of this report |
| Name and mailing address of the IPEA/JP | Authorized officer                |
| Facsimile No.                           | Telephone No.                     |

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/019405

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
  - ☐ publication of the international application (Rule 12.4)
  - ☐ international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

- ☒ the international application as originally filed/furnished
- ☐ the description:
- pages \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ the claims:
- nos. \_\_\_\_\_ as originally filed/furnished
- nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ the drawings:
- sheets \_\_\_\_\_ as originally filed/furnished
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/019405

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability:  
citations and explanations supporting such statement

## 1. Statement

Novelty (N)

Claims 5, 7, 9-11

YES

Claims 1-4, 6, 8, 12-46

NO

Inventive step (IS)

Claims 5, 7, 9-11

YES

Claims 1-4, 6, 8, 12-46

NO

Industrial applicability (IA)

Claims 1-46

YES

Claims

NO

## 2. Citations and explanations (Rule 70.7)

Document 1: JP 2002-373018 A (NTN Corp.), 26 December  
2002, claims

Document 2: JP 2002-229635 A (Nippon Steel Corp.), 16  
August 2002, claims

Claims 1 to 4, 6, 8 and 12 to 46

Documents 1 to 2 cited in the international search  
report both disclose a device for creating  
manufacturing/distribution schedules, which is equipped  
with a mathematical model storage device and an  
optimization calculation device.

Thus, the inventions set forth in the  
abovementioned claims are disclosed in documents 1 to 2;  
consequently, the inventions in question lack novelty and  
do not involve an inventive step.

Claims 5, 7 and 9 to 11

The optimization process that is carried out in the  
device for creating manufacturing/distribution schedules,  
wherein the feedback gain is calculated, an operation  
vector is determined from the feedback gain and state  
vectors that express the state of the progress of a  
process, and then each product within the abovementioned

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/019405

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

operation vector is arranged in a product sequence that gives a positive manipulated variable in order to move as many products as can be moved, is not disclosed in any of the documents that are cited in the international search report, and would not have been obvious to a person skilled in the art.